

Remarks

Preliminary Remarks

Claims 1-14 and 28-35 are pending in the application. Claims 15-27 have been cancelled. The issues in the application are as follows:

- Claims 1-14 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,603,965 to Monroe (hereafter, “Monroe”).
- New claims 28-35 are added.

In response, Applicants hereby traverse the outstanding rejections and request reconsideration and withdrawal in light of the amendments and remarks contained herein. Applicants also present new claims 28-35 for consideration.

Rejection of Claims under 35 U.S.C. § 102

Claims 1-14 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Monroe.

As a starting point, the PTO and the Federal Circuit provide that §102 anticipation requires that each and every element of the claimed invention be disclosed in a single prior art reference. (*In re Spada*, 911 F.2d 705, 15 USPQ2d 1655 (Fed. Cir. 1990)). The corollary of this rule is that the absence from a cited §102 reference of any claimed element negates the anticipation. (*Kloster Speedsteel AB, et al v. Crucible, Inc., et al*, 793 F.2d 1565, 230 USPQ 81 (Fed. Cir. 1986)). Furthermore, “[a]nticipation requires that all of the elements and limitations of the claims are found within a single prior art reference.” (*Scripps Clinic and Research Found. v Genetech. Inc.*, 927 F.2d 1565, 1576, 18 U.S.P.Q.2d 1001, 1010 (Fed. Cir. 1991) (Emphasis added)). Moreover, the PTO and the Federal Circuit provide that §102 anticipation requires that there must be no difference between the

1 claimed invention and the reference disclosure. (*Scripps Clinic and Research Found.*
2 *v. Genetech, Inc.*, id. (Emphasis added)).

3 Accordingly, if the Applicants can demonstrate that any one element or
4 limitation in claims 1-14 is not disclosed by Monroe, then the respective claim(s) are
5 not anticipated.

6 Claims 1 stands rejected under 35 U.S.C. § 102 as being anticipated by
7 Monroe. Claim 1 has been amended, and now recites in part: "...a multi-purpose
8 connection adaptor configured to connect said mobile phone handset to at least two
9 of a plain ordinary telephone line, a local area network and one or more computing
10 devices, wherein the multipurpose connection adaptor includes a single multipurpose
11 connector configured to alternatively accommodate a connector for the plain ordinary
12 telephone line and a connector for the local area network." (Emphasis added.) No
13 new matter has been added by the amendment of claim 1. Support for the
14 amendment can be found at least at page 7 line 24 - page 8 line 15, and at Figs. 1C
15 and 2.

17 As amended, claim 1 clearly recites at least one element not disclosed in
18 Monroe, as such does not disclose a single multipurpose connector configured to
19 alternatively accommodate a connector for the plain ordinary telephone line and a
20 connector for the local area network. In rejecting claim 1, the Examiner referenced
21 Fig. 4B of Monroe. With respect to Figs. 4A and 4B of Monroe, these figures show a
22 module which can be connected to a data port on a cellular telephone via a cable.
23 Fig. 4B shows the module to include three separate connectors/jacks (i.e., jacks 10,
24 11, and 13). Monroe teaches that jack 10 is an RJ-11 jack, jack 11 is and RJ-45
25 jack, and jack 13 is an RJ-45 jack (See page 3, paragraph 47 of Monroe). However,
not one of these connectors/jacks are configured to alternatively accommodate a

1 connector for the plain ordinary telephone line or a connector for the local area
2 network, as recited in Applicants' claim 1.

3 Accordingly, because Monroe does not disclose each and every element of
4 amended claim 1, claim 1 cannot be anticipated by Monroe. Therefore, Applicants
5 respectfully request that the rejection be withdrawn, and that claim 1 be allowed in
6 the Examiner's next action.

7 It is axiomatic that any dependent claim which depends from an allowable
8 base claim is also allowable, and therefore the Applicants do not believe it is
9 necessary to present arguments in favor of each and every claim depending from
10 claim 1. Here claims 2-5 and 8-14 ultimately depend from claim 1, and are therefore
11 allowable for at least the reasons discussed above regarding claim 1, as well as for
12 their own recited features which are neither shown nor supported by the cited art.

14 Claims 6 and 7 were objected to as being dependent upon a rejected base
15 claim. However, the Examiner indicated that claims 6 and 7 would be allowable if
16 rewritten in independent form to include all of the limitations of the base claim and
17 any intervening claims. Claims 6 and 7 have each been rewritten as suggested by
18 the Examiner. Therefore, the Applicants request that claims 6 and 7 be allowed in
19 the Examiner's next action.

21 New Claims Added

23 As noted above, claims 28-36 have been added. No new matter has been
24 added. Support for claim 28 can be found at least at Fig. 1C, Fig. 2, and at page 7
25 line 19 – page 10 line 9. Support for claim 29 can be found at least at page 7 line 24
– page 8 line 15. Support for claim 30 can be found at least at page 7 line 28 – page
8 line 5. Support for claim 31 can be found at least at Fig. 1C, Fig. 2, and at page 7

1 line 24 – page 8 line 28. Support for claim 32 can be found at least at Fig. 1C, Fig.
2, and at page 3 line 27- page 4 line 7. Support for claim 33 can be found at least at
3 Fig. 1C, Fig. 2, and at page 7 line 24 – page 8 line 5. Support for claim 34 can be
4 found at least at page 8 lines 6 – 15. Support for claim 35 can be found at least at
5 page 3 line 27 – page 4 line 4, page 5 lines 15 – 25, page 6 lines 21-26, and at page
6 7 line 24 – page 8 line 15.
7
8

9 Fees for Additional Claims

10 The fee for one (1) additional independent claim, and two (2) additional total
11 claims, is to be charged to the Applicant's deposit account, as indicated on the
12 attached Transmittal letter.

13
14 Summary

15 The Applicants believe that this response constitutes a full and complete
16 response to the Office action, and therefore request timely allowance of claims 1-14
17 and 28-35.

18 The Examiner is respectfully requested to contact the below-signed
19 representative if the Examiner believes this will facilitate prosecution toward
20 allowance of the claims.
21

22 Respectfully submitted,

23 David M. Payne & Thomas A. Killingsworth

24 Date: May 13, 2004

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S/N: 09/776,054
Case 10002870-1
Amendment "B"